

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RENEE MIHALIK,

Plaintiff,

– against –

CREDIT AGRICOLE CHEUVREUX  
NORTH AMERICA, INC.,

Defendant.

Index No.: 09-CV-01251 (DAB)

**DECLARATION OF  
FRANK BOER**

**FRANK BOER** declares as follows:

1. I am a Senior Vice President, and before that was a Vice President, at Credit Agricole Cheuvreux North America, Inc. ("Cheuvreux"), where I have worked since June 2004. I have personal knowledge of the facts stated herein.
2. I sat on the same trading floor as Renee Mihalik when she worked at Cheuvreux.
3. In or about October or November 2007, a group of about 10 Cheuvreux employees went out for drinks after work at around 5:30 p.m. Ms. Mihalik ordered a martini and then said she was not going to drink a lot because she did not want to "get into trouble." At around 8 p.m., I was sitting on a sofa next to another employee, Margaret Boyle, and Ms. Mihalik was sitting next to Ms. Boyle. As we sat and talked, I rested my arm across the top of the sofa behind Ms. Boyle. I then felt something on my hand, and I looked in that direction and saw Ms. Mihalik sucking on my fingers. Another colleague also saw this occurring, and we spoke about it afterward. As soon as I realized what was happening, I immediately pulled my hand away from Ms. Mihalik's mouth and said, "Renee, that's not a good idea."

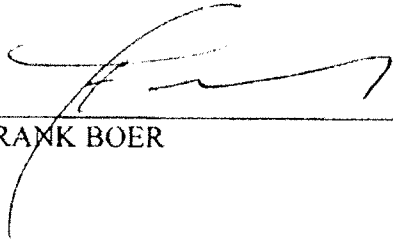
4. I frequently observed Ms. Mihalik shopping online on her Cheuvreux computer during business hours.

5. I never heard Mr. Peacock comment on the appearance of Ms. Mihalik – or of anyone else on the desk.

6. I never saw any pornography in the workplace.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
October 29, 2010



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FRANK BOER